

REMARKS

Claims 17-33 are pending in this application. By this Amendment, claims 17 and 33 are amended. These amendments are supported by Applicants' specification at least at, paragraphs [0017] and [0029]. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 17-33 under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. The Office Action asserts that the features, determining at a second location, using the at least one image taken at the first location and the at least one image taken at the second location, the first location of the object, are not described by the specification. These features are described, at least, at paragraphs [0001], [0006], [0007], [0010], [0013], [0015], [0017], [0031] and [0032].

In order to meet the written description requirement, the Applicant does not have to use any particular form of disclosure to describe the subject matter claimed, merely "the description must clearly allow persons of ordinary skill in the art to recognize that the applicant invented what is claimed." *See In re Gosteli*, 872 F.2d 1008, 1012 (Fed. Cir. 1989). Put another way, "the applicant must . . . convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention." *See Vas-Cath Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64 (Fed. Cir. 1991). This standard is met here at least for the following reasons.

Paragraphs [0001] discloses, photogrammetric methodologies to obtain properties of the object, while grabbing and releasing the object, at successive points during the handling. The properties including the three dimensional (3D) extend of an object properties related to its surface such as texture and other significant characteristics. Further, paragraph [0001] discloses, the captured imagery to keep track of the transportation path in time and space of each individual object.

Paragraphs [0006] and [0007] disclose, a single or a series of computer sensor systems with integrated GPS and that the vision system locates and measures the logs at several stages of a wood procurement process. Further, that the results of one or more of these measurements are used to give precise and unbiased estimates of position, size and quality of logs at any specific stage and that tracking is understood to be a record of the positions of a recognized log along the procurement process where the system is applied.

Paragraph [0010] discloses that a schematic representation of the wood procurement process is shown in FIG. 1. The action pattern of logs being loaded and unloaded by similar devices is repeated at all operations throughout the procurement process. FIG. 1 discloses the transportation of logs by truck including, being loaded from stack at forest road, stacking on truck, unloading in stack at plant. Further, paragraph [0017] discloses that each individual log is being monitored several times during the procurement line and that at any load/unload action stereo imagery of each log while located in the unload stack and paragraph [0015] discloses that imagery of the stacks that are being loaded or unloaded are captured continuously. Thus, paragraphs [0010], [0017] and Fig. 1 disclose at least, taking, at a first location, at least one image of an object enabling identifying the object and recording the at least one image taken of the object and the first location of the object on a storage medium, transporting the object from the first location to a second location, taking, at the second location, at least one image of the object enabling identifying the object.

Paragraph [0029] discloses that the resulting information about stacks or bundle of logs computed from the images are subsequently stored in a central database and that this information includes, location and quality of the individual logs. Paragraphs [0031] and [0032] disclose a coarse recognition of the logs taken from or added to a stack, and the logs held in the grab, and an accurate recognition of each individual log from the image data

available this information used to provide a model of the transportation paths of the logs
Paragraph [0032] discloses adjusting the model to fit best possible with the actual taken
images.

Thus, paragraphs [0029], [0031] and [0032] disclose at least, determining at a second
location, using the at least one image taken at the first location and the at least one image
taken at the second location, the first location of the object, because the transportation paths
of the logs are determined from recognition of the logs using the image data from each load
and unload operation.

Accordingly, reconsideration and withdrawal of the rejection of claims 17-33 under 35
U.S.C. §112, first paragraph, are respectfully requested.

The Office Action rejects claims 17-33 under 35 U.S.C. §101 as allegedly being
drawn to non-statutory subject matter. Claims 17 and 33 are amended, as suggested by the
Office Action on page 2, item 3, to obviate this rejection.

Accordingly, reconsideration and withdrawal of the rejection of claims 17-33 under 35
U.S.C. §101 are respectfully requested.

The Office Action rejects claims 17-33 under 35 U.S.C. §103(a) as being unpatentable
over U.S. Patent No. 5,544,757 to Geiger et al. (hereinafter "Geiger") in view of U.S. Patent
No. 6,182,725 to Sorvik. This rejection is respectfully traversed.

The Office Action concedes that Geiger does not teach determining, at the second
location, using the at least one image taken at the first location and the at least one image
taken at the second location, the first location of the object. The Office Action asserts that
Sorvik remedies these shortfalls of Geiger. The analysis of the Office Action fails for at least
the following reason.

Claims 17 and 33 recite, among other features, taking, at a first location, at least one image of an object enabling identifying the object and recording the at least one image taken of the object and the first location of the object on a storage medium, transporting the object from the first location to a second location, taking, at the second location, at least one image of the object enabling identifying the object.

The Office Action asserts that Geiger teaches the above features at col. 7, lines 40-46. This portion of Geiger teaches cameras 10 at a single point on a sorting apparatus 18 (see, *e.g.* Fig. 2). Geiger would not have suggested a taking any image at a second location, because the cameras are used to sort the logs on the sorting apparatus. Geiger does not require any cameras at a second location. Geiger teaches in the above portion that the data processing unit 26 is able to recognize and detect each log 8 as it approaches the sorting apparatus. Geiger would not have suggested taking a second image, merely that the data processing unit is able to recognize and detect each log. Further, Geiger would not have suggested recording the first location of the object on a storage medium because there is only a single location that is identical for all each log.

Sorvik as applied to claim 17 and 33 does not remedy these shortfalls of Geiger. Sorvik teaches at, *e.g.*, col. 5, lines 6-15 and col. 5, line 57 - col. 6, line 8 marking pieces of timber with information about the location of growth of the tree. Further, Sorvik teaches at, *e.g.*, col. 6, lines 64-67, a reading device that reads the markings in the timber. Thus, Sorvik would not have suggested taking any images because each piece of timber is identified by a mark that can be read by a reader. Further, Sorvik would not have suggested recording the first location of the object on a storage medium because the location is marked on the timber.

The Office Action asserts that it would have been obvious to combine Geiger with Sorvik. As noted above, Sorvik teaches marking pieces of timber with location information.

Geiger teaches a method and apparatus for distinguishing the bark remaining on the wood and defects in the wood (see, *e.g.*, col. 2, lines 9-18). The method and apparatus of Geiger is not capable of reading information contained in any marking on the wood. Therefore, it would not have been predictable to combine Geiger with Sorvik in the manner suggested by the Office Action.

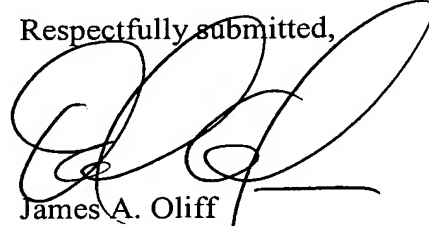
For at least the foregoing reasons, any permissible combination of Geiger with Sorvik cannot reasonably be considered to have suggested the combinations of all of the features recited in claims 17 and 33. Further, no combination of Geiger with Sorvik can reasonably be considered to have suggested the combinations of all of the features recited in claims 18-32 for at least the dependence of these claims on any allowable base claim, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 17-33 under 35 U.S.C. 103(a) as being unpatentable over Geiger in view of Sorvik are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 17-33 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

JAO:MIL/add

Date: July 21, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461